

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ALPHA IOTA OMEGA CHRISTIAN)
FRATERNITY, an unincorporated)
association; TREVOR J. HAMM,)
an individual; and CARLON D.)
MYRICK, an individual,)

Plaintiffs,)

v.)

CIVIL NO. 1:04CV00765

JAMES MOESER, Chancellor of)
the University of North)
Carolina at Chapel Hill;)
RICHARD T. WILLIAMS, Chairman)
and member, Board of Trustees)
of the University of North)
Carolina at Chapel Hill;)
NELSON SCHWAB III, Vice)
Chairman and member, Board of)
Trustees of the University of)
North Carolina at Chapel Hill;))
JEAN ALMAND KITCHIN, Secretary))
and member, Board of Trustees)
of the University of North)
Carolina at Chapel Hill;)
TIMOTHY B. BURNETT;)
PHILIP G. CARSON; RUSSELL M.)
CARTER; JOHN G. B. ELLISON,)
JR.; PAUL FULTON, JR.;)
KAROL V. MASON; ROGER L.)
PERRY, SR.; A. DONALD)
STALLINGS; ROBERT W. WINSTON)
III; members, Board of)
Trustees of the University of)
North Carolina at Chapel Hill;))
JONATHAN CURTIS, Assistant)
Director of Student Affairs)
and Organizations, University)
of North Carolina at Chapel)
Hill; MOLLY CORBETT BROAD,)
President, University of North))
Carolina; J. BRADLEY WILSON,)
Chair and member, Board of)
Governors of the University of))
North Carolina; J. CRAIG)
SOUZA, Vice Chairman and)

member, Board of Governors of)
 the University of North)
 Carolina; PATSY B. PERRY,)
 Secretary and member, Board of)
 Governors of the University of)
 North Carolina; BRADLEY T.)
 ADCOCK; G. IRVIN ALDRIDGE;)
 JAMES G. BABB; BRENT D.)
 BARRINGER; J. ADDISON BELL;)
 R. STEVE BOWDEN; F. EDWARD)
 BROADWELL, JR.; WILLIAM L.)
 BURNS, JR.; ANNE W. CATES;)
 JOHN F.A.V. CECIL; BERT)
 COLLINS; JOHN W. DAVIS III;)
 RAY S. FARRIS; DUDLEY E.)
 FLOOD; HANNAH D. GAGE;)
 WILLIE J. GILCHRIST; H. FRANK)
 GRAINGER; PETER D. HANS; PETER)
 KEBER; ADELAIDE DANIELS KEY;)
 G. LEROY LAIL; CHARLES H.)
 MERCER, JR.; CHARLES S.)
 NORWOOD; CARY C. OWEN; JIM W.)
 PHILLIPS, JR.; GLADYS ASHE)
 ROBINSON; ESTELLE "BUNNY")
 SANDERS; PRISCILLA P. TAYLOR;)
 ROBERT F. WARWICK, members,)
 Board of Governors of the)
 University of North Carolina;)
 each in their official)
 capacities,)
)
 Defendants.)

O R D E R

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed contemporaneously herewith

IT IS ORDERED that Plaintiffs' Motion for Leave to File Amended Complaint [Doc. #44] is **DENIED**.

IT IS FURTHER ORDERED that Defendants' Second Motion to Dismiss and Suggestion of Mootness [Doc. #39] is **GRANTED**, and this action is **DISMISSED**. The parties shall bear their own costs.


United States District Judge

May 4, 2006